

REMARKS

Claims 1-4, 7-13, 19, 20, and 22-27 are pending in the present application. Claims 26 and 27 are new. Claims 1 and 19 have been amended. Claims 1, 7, and 19 are independent claims. The Examiner is respectfully requested to reconsider the outstanding rejection in view of the above amendments and the following remarks.

Allowable Subject Matter

It is gratefully acknowledged that the Examiner has allowed claim 7.

Rejection Under 35 U.S.C. § 103

Claims 1-4, 8-13, 19, 20, and 22-25 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Sprenger et al., "H-BLOB: A Hierarchical Visual Clustering Method Using Implicit Surfaces," IEEE, Oct. 2000 (hereafter "Sprenger") in view of U.S. Patent Application Publication No. 2004/0168115 to Bauernschmidt et al. (hereafter "Bauernschmidt"). This rejection, insofar as it pertains to the presently pending claims, is respectfully traversed.

To establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. *In re Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA 1974). Applicant respectfully submits that Sprenger and Bauernschmidt fail to teach or suggest every element recited in the aforementioned claims.

Particularly, independent claims 1 and 19 have been amended to recite, "changing the characteristic associated with the second design element to be the same as the particular characteristic in response to [the/a] user dragging the second design element over the affinity region." Support for this amendment is found in the specification at paragraph 28 (pages 7-8).

Applicant respectfully submits that neither Sprenger nor Bauernschmidt teaches or suggests the aforementioned claim feature. Sprenger does not teach or suggest a user interface which allows the user to drag any of the visually clustered objects to change the object's characteristic.

Similarly, Bauernschmidt's invention does not allow the user to perform a drag operation on any of elements in the displayed treemap, or even change a characteristic of such element. At most, Bauernschmidt's graphical user interface (Figs. 3 and 4) provides various user controls (e.g., hierarchical control tree 316, slidebars) in the windows *surrounding the treemap* (e.g., windows 314, 316) which are used for creating a new treemap, changing which elements are displayed and how they are displayed (see paragraphs 048-51).

As such, Sprenger and Bauernschmidt, taken separately or in combination, fail to teach or suggest every limitation recited in independent claims 1 and 19.

At least for the reasons set forth above, Applicant respectfully submits that independent claims 1 and 19 are allowable over Sprenger and Bauernschmidt. Accordingly, claims 2-4, 8-13, 20, and 22-25 are allowable at least by virtue of their dependency on claims 1 and 19. Therefore, the Examiner is respectfully requested to reconsider and withdraw this rejection.

Conclusion

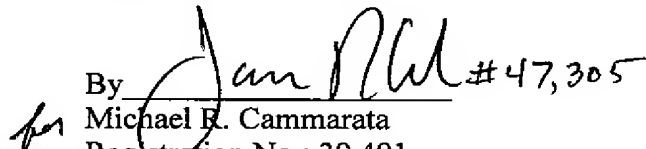
In view of the above amendments and remarks, the Examiner is respectfully requested to reconsider the outstanding rejections and issue a Notice of Allowance in the present application.

Should the Examiner believe that any outstanding matters remain in the present application, the Examiner is respectfully requested to contact Jason W. Rhodes (Reg. No. 47,305) at the telephone number of the undersigned to discuss the present application in an effort to expedite prosecution.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

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Respectfully submitted,

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